

**IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**HUNTINGTON DIVISION**

STEVEN HART,

Plaintiff,

v.

CIVIL ACTION NO. 3:12-0521

WEST VIRGINIA REGIONAL JAIL  
AUTHORITY; LOCKHART AND  
LOCKHART BONDING; and CABELL  
COUNTY MAGISTRATE CLERK,

Defendants.

**MEMORANDUM OPINION AND ORDER**

This action was referred to the Honorable Cheryl A. Eifert, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that Plaintiff's § 1983 Complaint (Doc. #2) be dismissed, with prejudice; Plaintiff's Application to Proceed Without Prepayment of Fees and Costs be denied (Doc. #1) as moot; and this case be removed from the Court's docket. Neither party has filed objections to the Magistrate Judge's findings and recommendation.

Accordingly, the Court accepts and incorporates herein the findings and recommendation of the Magistrate Judge and **ORDERS** that Plaintiff's § 1983 Complaint (Doc. #2) be **DISMISSED**, with prejudice; Plaintiff's Application to Proceed Without Prepayment of Fees and Costs be **DENIED** (Doc. #1) as moot; and this case be **REMOVED** from the Court's docket, consistent with the findings and recommendation.

The Court **DIRECTS** the Clerk to forward copies of this written opinion and order to all counsel of record, and any unrepresented parties.

ENTER: April 5, 2012

A handwritten signature in black ink, appearing to read 'Robert C. Chambers', is written over a horizontal line.

ROBERT C. CHAMBERS  
UNITED STATES DISTRICT JUDGE